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Senate

(Legislative day of Monday, May 15, 1995)

The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

You will keep him in perfect peace whose mind is stayed on You, because he trusts in You.—Isaiah 26:3.

Jehovah Shalom, we thank You for this marvelously direct and uncluttered promise. We long for this superlative quality of peace, and for good reason. You have called us to lead this great Nation. To enable us to be creative Copernican thinkers about the problems and opportunities before us this day, You seek to give us profound inner peace.

But Lord, we find it difficult to stay our minds on You. We try to focus on You and often our attention wanders; we seek to listen to You and the sound waves to our hearts are cluttered with the static of distracting voices; we want to trust You, but years of self-reliance make it difficult to wait patiently for Your answers. Most of the time our motto is, "I have just got to get control of my life!" Ah, there's the issue, Lord. We were never meant to usurp Your control. Now in the quiet of this time of prayer we discover the secret: You alone can keep our minds stayed on You. All we can do is ask for the miracle of a day lived in constant awareness of Your abiding presence. May this be a day crammed full of spectacular moments when You keep our minds steady, our hearts calm, and our wills alert to Your will. Lord of peace, keep our minds on You. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. SPECTER. I thank the distinguished President pro tempore.

On behalf of Senator DOLE, I have been asked to announce that there will be a period of morning business until the hour of 12 noon at which time the Senate will begin consideration of Senate Concurrent Resolution 13, the budget resolution. And I have been asked by Senator DOLE to announce that Senators should be aware that rollcall votes may be expected throughout the day; that it is Senator DOLE's expectation that 8 to 10 hours of the total of 50 hours statutory time limit will be used today on the budget resolution; and, to announce further that leaders' time is being reserved.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. The Chair advises the Senate that, under the previous order, leadership time has been reserved.

MORNING BUSINESS

The PRESIDING OFFICER. We are now in morning business for a time not to extend beyond the hour of 12 noon.

During morning business, Senators are permitted to speak therein for not to exceed 5 minutes.

RUBY RIDGE, ID, AND WACO, TX

Mr. SPECTER. Mr. President, I have asked for a period of time to be reserved this morning to speak about the incidents at Ruby Ridge, ID, and Waco, TX. And there are a number of other Senators who have stated to me their intention to come to speak.

My remarks at the moment will be relatively brief, and I want to thank my distinguished colleague from Colorado for yielding to me because he was on the floor before I arrived. It is a lit-

tle unusual to find Senators here in advance of the opening of the Senate session. But Senator CAMPBELL has time reserved as well.

I hope to return later during the period for morning business to speak at greater length and also other Senators will come to speak on the subjects of Ruby Ridge, ID, and Waco, TX, as well. But I have a commitment to appear before the Finance Committee at 9:30 to testify on the flat tax.

(Mr. DEWINE assumed the chair.)

RUBY RIDGE, ID

Mr. SPECTER. Mr. President, I think it is important that there be a positive showing by the Senate of our concerns about what happened at Ruby Ridge, ID, on August 21, 1992, and the days thereafter, and what happened at Waco, TX, on April 19, 1993, and the days which preceded to assure the American people that appropriate congressional oversight will occur and that there will be accountability at the highest levels of the U.S. Government.

The House of Representatives has scheduled a hearing on the events at Waco, TX, and an announcement has been made by the distinguished chairman of the Senate Judiciary Committee that the Judiciary Committee will hold hearings on Waco, TX, and Ruby Ridge, ID, as well.

As I said last week on the Senate floor, it is my hope that we will do these hearings sooner rather than later because of my strong view that the American people need reassurance that there will be proper oversight. I say that I do not know what the answers are to the questions which have been raised, but I do see many important and profound questions. And I do think it is absolutely necessary that a full effort be made with congressional oversight to find answers.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Mr. President, with respect to the incidents at Ruby Ridge, ID, back on August 21, 1992, I have talked to FBI Director Freeh; FBI Deputy Director Potts; Bureau of Alcohol, Tobacco, and Firearms Director John Magaw; Jerry Spence, Esq., the attorney who represented Mr. Randy Weaver in the criminal proceedings in the Federal court; Randy Dade, the county attorney of Boundary County; and have attempted contact, traded calls with Special Agent Glenn, who is the agent in charge in Salt Lake City.

My preliminary findings—and these are obviously preliminary—show me that there are very important questions which require congressional oversight on the appropriate use of force in taking someone into custody and on the initiation of investigations by Federal agencies like the Bureau of Alcohol, Tobacco, and Firearms.

In discussing the incidents at Ruby Ridge, ID., and in taking them up in a preliminary way with the Director of the Bureau of Alcohol, Tobacco, and Firearms, John Magaw, there is a serious question as to how that matter all began.

Last Saturday, when I was in Des Moines, IA, I had occasion to talk at some length with Mr. Randy Weaver, who was tried and acquitted on murder charges. I had a chance to talk to his daughters Sarah and Rachel, ages 19 and 13. His 3-year-old daughter Elisha was present as well but was not in a position to shed any light on what occurred.

Picking up just one strand in the few moments that I am able to speak on the issue now, Mr. Weaver recounted how he had been contacted by a man who had asked him about acquiring sawed-off shotguns. Mr. Weaver advised that he thought that the individual was an undercover agent for the Bureau of Alcohol, Tobacco, and Firearms. And that was later confirmed by Director Magaw, who told me that it was a confidential informant who had gone to contact Mr. Weaver on the subject of purchasing sawed-off shotguns.

When that matter was tried, according to the information given to me by Mr. Magaw, Mr. Weaver was acquitted, on what Mr. Magaw said were borderline entrapment circumstances. When I questioned Mr. Magaw about what he meant by borderline entrapment—I know when I talk about this with the Presiding Officer, the distinguished Senator from Ohio, Mr. DEWINE, knowing what entrapment is, it is really not borderline; it is either entrapment or not. And if it is a matter of acquittal, there is no entrapment.

For those who do not know the details of entrapment—and it is a complex situation—that is when the idea comes from law enforcement and it is planted in the mind of the individual who ultimately does the conduct, undertakes the action which is the cause of an indictment.

I think we need to focus on the specifics as to what happened there to give

congressional oversight from some of us who have had more experience along that line so that we do not become engaged in the law enforcement agency, the Government itself, setting up circumstances which begin the chain of conduct which results in the indictment and look what happened beyond that in the Weaver matter because the law will not support a conviction if it is entrapment by the law enforcement agencies.

I am going to have to speak at length to this later, Mr. President. But one other matter that I wanted to touch upon in the Ruby Ridge incident was the question of the use of force and the question of whether it was excessive. I do not want to come to any conclusions. There has been considerable comment about whether the rules of engagement were changed and whether that was what led to the censure of Special Agent Larry Potts, who has since become the Deputy Director of the FBI. And in my discussions with Mr. Potts, which were relatively limited because we were scheduled to meet at a later time when he will have an opportunity to have his attorney present, Mr. Potts advised me that there had been no change in the rules of engagement. And that raises a very fundamental question as to the conduct and the use of force by Federal law enforcement when Mr. Weaver was taken into custody in a very sad situation where a U.S. marshal was killed, where 14-year-old Sam Weaver was killed, and where Mrs. Randy Weaver was killed. That is a tough subject but certainly deserves and requires our attention.

I touch upon those matters only briefly at this point, Mr. President, because I had said I would be making an inquiry, a preliminary inquiry, and I wanted to report on that. We had scheduled the hearings initially for the Terrorism Subcommittee for this morning, and those have been deferred until the full committee will take up the matter at a later date.

I had wanted to touch on the Waco incident again to at least refer preliminarily to the report by Dr. Allen Stone, of Harvard, who was a panelist selected to help in that inquiry, but since it is almost 9:30 and I am due in the Finance Committee—and I have already taken the time of my distinguished colleague from Colorado—I am going to conclude these very brief remarks with the hope of being able to come back a little later in morning business to talk additionally, to report further on my preliminary inquiry. I thank the Chair and I again thank Senator CAMPBELL.

Mr. President, before my colleague starts, may I just add, perhaps unnecessarily, that I reserve the remainder of my time.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Colorado [Mr. CAMPBELL] is recognized to speak for up to 15 minutes.

(The remarks of Mr. CAMPBELL pertaining to the introduction of S. 817 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DOLE. Was leader time reserved?

The PRESIDING OFFICER. The Senator is correct, leader time was reserved.

THE ENTERTAINMENT INDUSTRY

Mr. DOLE. Mr. President, this weekend, an important advertisement will be appearing on our television screens. The ad will feature two prominent Americans—Dr. William Bennett and C. Delores Tucker, chair of the National Political Congress of Black Women.

Dr. Bennett is a Republican. Ms. Tucker is a Democrat. Both agree that the entertainment industry must be held accountable for the mindless violence and loveless sex it serves up each day to our children.

Of course, there are many fine people in the entertainment industry and there are many fine movies, songs, and television shows. And, thankfully, it appears that Hollywood is finally beginning to understand that family-friendly films can also be box office hits.

That is the good news.

The bad news is that too much of today's entertainment continues to operate in a moral vacuum, without a redeeming hope, and without any suggestion that virtues are important, that morality is, in fact, preferable to immorality.

We cannot ignore this simple truth: culture does count.

Cultural messages can and do bore deep into the hearts and the minds of our impressionable young. And when these messages are negative ones—repeated hour after hour, day after day, month after month—they can rob our children of that most precious gift of all: their innocence.

One of the leading cultural influences in America today happens to be one of our largest corporations, Time-Warner.

Now, Time-Warner has produced much entertainment over the years that has enriched the cultural life of our country. But unfortunately, through its affiliation with companies like Interscope Records, Time-Warner is now on the cutting-edge of the misogyny business. As Ms. Tucker will explain in her television ad, and I quote:

Time-Warner's music division promotes music that celebrates the rape, torture, and murder of women. The lyrics are vulgar, offensive, and do terrible harm to our children.

Columnist John Leo puts it another way. He calls Time-Warner's affiliation with Interscope the "cultural equivalent of owning half the world's mustard gas factories."

Last month, I urged all Americans to join with me in refocusing the spotlight on the entertainment industry. I said that "shame is a powerful tool and